

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Campbell et al.  
Title: SYSTEM AND METHOD FOR SELECTING A USER SPEECH  
PROFILE FOR A DEVICE IN A VEHICLE  
Appl. No.: 10/576,842  
International Filing Date: 10/21/2004  
371(c) Date: 4/20/06  
Examiner: Albertalli, Brian Louis  
Art Unit: 2626  
Confirmation No.: 7444

**ISSUE FEE TRANSMITTAL**

Mail Stop **ISSUE FEE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B).

Fees in the amount of \$1,810.00 for payment of the Issue Fee and the Publication Fee are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or

incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

This communication is responsive to the Notice of Allowance dated November 24, 2008, concerning the above-referenced patent application.

The Examiner stated the following:

Claims 1 and 17 require that a first user speech profile is associated with a first portable electronic device and a second user speech profile is associated with a second portable electronic device, and that the two devices are prioritized. Claims 1 and 17 further require receiving a first control signal from the first device and a second control signal from the second device and selecting, based on the prioritization, the first user speech profile associated with the first portable electronic device or the second user speech profile associated with the second portable electronic device.

Himellstein et al. disclose a system wherein a plurality of users are each associated with a plurality of portable electronic devices. When the system recognizes an allowed portable electronic device the system will recognize speech from a plurality of users. However, input commands are compared to all of the voice templates stored in memory (i.e. an input command is compared to a plurality of user's voice templates). Thus, Himellstein et al. do not disclose selecting a user's speech profile based on the control signal received from the portable electronic device.

Curry et al. disclose a system that identifies the user, then selects a user profile for the user once the user is identified.

However, neither Himellstein et al. or Curry et al. reasonably disclose or suggest receiving two control signals (from a first portable electronic device and a second portable electronic device) and selecting a first user speech profile associated with the first portable electronic device or a second user speech profile associated with the second portable electronic device based on a prioritization of the first portable electronic device identifier and the second portable electronic device identifier.

Similarly, with respect to claim 23, Himmelstein et al. and Curry et al. do not reasonable disclose or suggest receiving radio frequency signals from a plurality of portable electronic devices within a proximity of a vehicle and selecting a user speech profile from a plurality of user speech profiles associated with the plurality of portable electronic devices, based on pre-established prioritization information.

While the Applicants agree that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

#### **REMARKS**

These Comments on Statement of Reasons for Allowance under 37 C.F.R. § 1.104 are intended to be responsive to the Notice of Allowance dated November 24, 2008..

Respectfully submitted,

Date Feb. 20, 2009

By / Karl F. Reichenberger /

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 319-7347  
Facsimile: (414) 297-4900

Karl F. Reichenberger  
Attorney for Applicant  
Registration No. 60,726